

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

APPLICATION FOR ENTRY OF DEFAULT

COMES NOW the plaintiff State of New Mexico, *ex. rel.* State Engineer, and requests the Clerk of the Court, pursuant to F. R. Civ. P. 55(a) to enter the default of the following named defendants and each of them for failure to answer or otherwise plead; and the undersigned certifies that no answer, appearance, or other pleading has been served upon plaintiff's attorneys.

<u>defendant</u>	<u>subfile No.</u>	<u>proof of service filed</u>
Bernabe Madrid	CHRB-004-0010 CHRB-006-0040 CHRB-007-0011	November 14, 2006 (Doc. No. 8446)
Caroline Madrid	CHRB-004-0010 CHRB-006-0040 CHRB-007-0011	November 14, 2006 (Doc. No. 8446)
Chris R. Martinez	CHRB-004-0004B	April 17, 2007 (Doc. No 8616)
Pauline Bustos	CHRB-004-0004D	April 17, 2007 (Doc. No 8616)
Elipio G. Mecure	CHRU-001-0016	June 29, 2006 (Doc. No. 8304)
Kathleen Gintowt	CHCC-001-0013	January 18, 2007 (Doc. No.8536)

Robert A. Gintowt	CHCC-001-0013	June 29, 2006 (Doc. No. 8304)
-------------------	---------------	-------------------------------

<u>defendant</u>	<u>subfile No.</u>	<u>waiver of service of summons filed</u>
Estate of Maria Casias	CHTA-003-0003	February 19, 2002 (Doc. No. 6537) ¹
Rio Arriba County	CHTA-003-0013A CHTA-003-0014A	June 20, 2003 (Doc. No. 7162)
Roseann Gallegos	CHRB-004-0004C	February 18, 2003 (Doc. No. 7063)
Bruce R. Duran	CHRB-006-0003	September 3, 2002 (Doc. No. 6839) ²
Michelle L. Duran	CHRB-006-0003	September 3, 2002 (Doc. No. 6839)
Michael D. Gonzales	CHRB-004-0009	April 4, 2002 (Doc. No. 6603) ³
John D. Morrow	CHCC-001-0007	April 25, 2003 (Doc. No. 7116)

<u>defendant</u>	<u>subfile No.</u>	<u>proof of publication filed</u>
Tira L. Ouellete	CHRB-004-0041	March 30, 2007 (Doc. No. 8608)
Celia O. Lucero	CHCV-002-0011	March 30, 2007 (Doc. No. 8608)
Rebecca Hurd	CHCV-002-0017	March 30, 2007 (Doc. No. 8608)
Robert Hurd	CHCV-002-0017	March 30, 2007 (Doc. No. 8608)
Daphne Kim Tribble	CHCV-002-0019	March 30, 2007 (Doc. No. 8608)

¹ Defendant Estate of Maria Casias was substituted for defendant Maria Casais by Order dated February 22, 2007 (Docket No. 8570).

² Defendants Bruce R. Duran and Michelle L. Duran were substituted for defendant Ensenada Resources by Order dated September 26, 2006 (Docket No. 8390).

³ Defendant Michael D. Gonzales was substituted for defendant Valerie Espinosa by Order dated March 15, 2006 (Docket No. 8159).

Jose Salomon Lucero	CHCV-002-0035	March 30, 2007 (Doc. No. 8608)
Presley D. Rivas	CHCV-002-0039E	March 30, 2007 (Doc. No. 8608)
Angelo E. Rivas	CHCV-002-0039F	March 30, 2007 (Doc. No. 8608)
Estate of Octaviano Ulibarri	CHTA-003-0021	March 30, 2007 (Doc. No. 8608)
Estate of Lupita Valerio Jaramillo	CHRB-004-0023	March 30, 2007 (Doc. No. 8608)

Dated: April 17, 2007

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444
(505) 867-2299 facsimile

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17 day of April, 2007 I filed the foregoing electronically through the CM/ECF system.

/s/ Ed Newville
Edward G. Newville